AMENDMENT AND PRESENTATION OF CLAIMS

Please replace all prior claims in the present application with the following claims.

1.   (Currently Amended)   A ~~mobile communications~~ terminal, comprising:

a processor; and

at least one memory including computer program code,

the at least one memory and the computer program code configured to, with the processor,

    cause the apparatus to perform at least the following,

~~means~~ detecting ~~responsive to~~ ~~the~~ commencement of an activity or ~~the~~ running of an

    application associated with a first setting; ~~for adjusting an availability setting~~

retrieving a second setting associated with a selected operating profile;

selecting a more restrictive setting based on a comparison of the first setting and the second

    setting;

adjusting an availability setting of the mobile communication terminal to the more restrictive

    setting;

~~to the highest one of a setting associated with the run application or the commenced activity~~

    ~~and a setting associated with a selected operating profile,~~ –

and

~~means for~~ reporting of the adjusted availability setting to or via a network.

2.   (Currently Amended)   A terminal as claimed in claim 1, ~~in which the adjusting means is~~

~~arranged to adjust~~ the availability setting is adjusted depending on the identity of the application

or the activity.

3.   (Currently Amended)   A terminal as claimed in claim 2, in which the ~~availability~~ <u>first</u> setting ~~associated with at least one application or activity~~ is user definable.

4.   (Canceled)

5.   (Currently Amended)   A terminal as claimed in claim 1, in which the ~~availability~~ <u>second</u> setting ~~associated with at least one operating profile~~ is user definable.

6.   (Canceled)

7.   (Currently Amended)   A terminal as claimed in claim 1, ~~in which the adjusting means~~ <u>wherein the adjustment of the availability setting</u> is responsive to the ending of the activity or the ceasing of the running of the application to restore the availability setting to its previous setting.

8.   (Currently Amended)   A terminal as claimed in claim 1, ~~comprising means for~~ <u>wherein the apparatus is further caused, at least in part, to</u> ~~allowing~~ <u>allow</u> a user to define a different availability setting for a predetermined network user or a group of network users to a setting associated with other users.

9.   (Currently Amended)   A terminal as claimed in claim 1, ~~comprising means for~~ <u>wherein the apparatus is further caused, at least in part, to</u> ~~queuing~~ <u>queue</u> one or more communications received in contravention of an availability setting without revealing the one or more communications to the user.

10.   (Currently Amended)   A terminal as claimed in claim 1, ~~comprising means responsive~~ wherein the apparatus is further caused, at least in part, to, in response to the receipt of a communication in contravention of an availability setting, ~~for~~ automatically sending a reply communication.

11.   (Currently Amended)   A method ~~of setting an availability setting relating to a mobile communications terminal, the method~~ comprising:

detecting ~~the~~ commencement of an activity or the running of an application associated with a

   first setting; ~~and in response to a detection:~~

retrieving a second setting associated with a selected operating profile;

selecting a more restrictive setting based on a comparison of the first setting and the second

   setting;

adjusting an availability setting of a mobile communication terminal to the more restrictive

   setting ~~to the highest one of a setting associated with the one application or the~~

   ~~commenced activity and a setting associated with a selected operating profile~~; and

causing, at least in part, reporting of the adjusted availability setting to or via a network.

12.   (Original)   Method as claimed in claim 11, in which the adjusting step includes adjusting the availability setting depending on the identity of the application or the activity.

13.   (Currently Amended)   A method as claimed in claim 12, in which the ~~availability~~ first setting ~~associated with at least one application or activity~~ is user definable.

14.   (Canceled)

15.   (Currently Amended)   A method as claimed in claim 11, in which the ~~availability~~ second setting ~~associated with at least operating profile~~ is user definable.

16. (Canceled)

17.   (Previously Presented)   A method as claimed in claim 11, comprising detecting the ending of the activity or the ceasing of the running of the application, and in response to a detection restoring the availability setting to its previous setting.

18.   (Previously Presented)   A method as claimed in claim 11, comprising allowing a user to define a different availability setting for a predetermined network user or a group of network users to a setting associated with other users.

19.   (Previously Presented)   A method claimed in claim 11, comprising queuing one or more communications received in contravention of an availability setting without revealing the one or more communications to the user.

20.   (Previously Presented)   A method as claimed in claim 11, comprising automatically sending in response to the receipt of a communication in contravention of an availability setting a reply communication.

21.   (Currently Amended)   An apparatus comprising:

a processor ~~configured to:~~ : and

at least one memory including computer program code,

the at least one memory and the computer program code configured to, with the processor,

cause the apparatus to perform at least the following,

detect commencement of an activity or running of an application associated with a first

setting;

retrieve a second setting associated with a selected operating profile;

select a more restrictive setting based on a comparison of the first setting and the second

setting;

adjust an availability setting of a communication terminal to the more restrictive setting ~~in~~

~~commencement of an activity or a running of an application to the highest one of a setting~~

~~associated with the one application or the commenced activity and a setting associated~~

~~with a selected operating profile~~ ; and

report the adjusted availability setting to or via a network.

22.   (Canceled)

23.   (Currently Amended)   The apparatus as claimed in claim 21, wherein the apparatus is further caused, at least in part, to ~~further comprising that the processor is configured to~~ allow a user to define a different availability setting for a predetermined network user or a group of network users to a setting associated with other users.

24.   (New)   The apparatus as claimed in claim 21, wherein the availability setting is adjusted depending on the identity of the application or the activity.

25.   (New)   The apparatus as claimed in claim 21, wherein the first setting and the second setting are user definable.

26.   (New)   The apparatus as claimed in claim 21, wherein the adjustment of the availability setting is responsive to the ending of the activity or the ceasing of the running of the application to restore the availability setting to its previous setting.

27.   (New)   The apparatus as claimed in claim 21, wherein the apparatus is further caused, at least in part, to allow a user to define a different availability setting for a predetermined network user or a group of network users to a setting associated with other users.

28.   (New)   The apparatus as claimed in claim 21, wherein the apparatus is further caused, at least in part, to, in response to the receipt of a communication in contravention of an availability setting, to automatically send a reply communication.